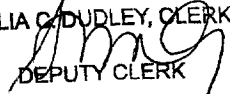


NOV 14 2011

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

UNITED STATES OF AMERICA,)	CASE NO. 5:05CR00019
)	(CASE NO. 5:11CV80371)
)	
vs.)	<u>FINAL ORDER</u>
)	
)	
MARK JAMES KONSAVICH,)	By: Glen E. Conrad
)	Chief United States District Judge
Defendant.)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this motion to vacate, set aside or correct the sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED** as successive, and this action is stricken from the active docket of the court. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

ENTER: This 14th day of November, 2011.



Chief United States District Judge